



PROTECTED A

Request Text / Texte de la demande:

“I am looking for data on the processing of applications made to a CBSA enforcement officer for a deferral of removal (removal of persons) by refugee claimants in Canada deemed ineligible to have their claim referred to the IRB pursuant to section 101(1)e) of the Immigration and Refugee Protection Act (IRPA) ("the claimant came directly or indirectly to Canada from a country designated by the regulations?? - the STCA ineligibility provision). Please provide for the years 2017, 2018, 2019 and 2020: i) the number of deferral requests initiated by a refugee claimant deemed ineligible pursuant to section 101(1)(e) of the IRPA; ii) the number of outstanding requests from previous years; iii) the number of withdrawn requests; iv) the number of decisions granting such requests; v) the number of decisions refusing such requests; vi) the number of cases where such a request was not decided before removal was executed, vii) the number of requests where the removal was halted by a stay motion issued by the Federal Court.”

Response Text / Réponse de la demande:

i) the number of deferral requests initiated by a refugee claimant deemed ineligible pursuant to section 101(1)(e) of the IRPA;

Due to reporting limitations, the Canada Border Services Agency (CBSA) is unable to disaggregate the deferral requests based on the inadmissibility of the foreign national i.e. immigrant without a visa (refugee claimant) or those deemed ineligible. The CBSA can provide you with the total number of deferral requests for the given calendar years.

Deferral requests	
2017	785
2018	1,194
2019	1,772
2020	595

ii) the number of pending requests from the previous calendar year

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Please see below the number of deferral requests pending at the end of each calendar year. Please note that these pending requests were not specific to refugee claimants deemed ineligible pursuant to section 101(1)(e) of the IRPA.

Deferral requests pending year end	
2017	82
2018	93
2019	121
2020	123

iii) the number of withdrawn requests;

Please see below the number of deferral requests that were withdrawn for each calendar year. Please note that these deferrals were not specific to refugee claimants deemed ineligible pursuant to section 101(1)(e) of the IRPA.

Deferral requests withdrawn	
2017	15
2018	21
2019	32
2020	17

iv) the number of decisions granting such requests;

Please see below the number of deferral requests that were granted for each calendar year. Please note that these deferrals were not specific to refugee claimants deemed ineligible pursuant to section 101(1)(e) of the IRPA.

Deferral requests granted	
2017	350
2018	565
2019	697
2020	286

v) the number of decisions refusing such requests;

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Please see below the number of deferral requests that were refused for each calendar year. Please note that these deferrals were not specific to refugee claimants deemed ineligible pursuant to section 101(1)(e) of the IRPA.

Deferral requests refused	
2017	409
2018	553
2019	1,067
2020	299

vi) the number of cases where such a request was not decided before removal was executed;

Due to reporting limitations, the Canada Border Services Agency (CBSA) is unable to disaggregate the deferral requests that were pending at the time of removal.

vii) the number of requests where the deferral was halted by a stay motion issued by the Federal Court.

Due to reporting limitations, the Canada Border Services Agency (CBSA) is unable to disaggregate the deferral requests that were halted based on a stay motion issued by the Federal Court.